

ESTTA Tracking number: **ESTTA688866**

Filing date: **08/11/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91222177
Party	Plaintiff Apple Inc.
Correspondence Address	Joseph Petersen KILPATRICK TOWNSEND & STOCKTON LLP 1114 Avenue of the Americas, 21st Fl. New York, NY 10036 UNITED STATES JPetersen@kiltown.com, aroach@kiltown.com, agarcia@kiltown.com, SRoe@kilpatricktownsend.com, tadmin@kiltown.com
Submission	Other Motions/Papers
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Signature	/Shiveh R. Roe/
Date	08/11/2015
Attachments	Notice of Return Service.pdf(166840 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 86/313,564



For the mark: Star Apple Music Production, Inc.

Filed: June 18, 2014

Published: December 2, 2014

APPLE INC.,	X	
	:	
Opposer,	:	Opposition No. 91222177
	:	
v.	:	
	:	
	:	
STAR APPLE MUSIC PRODUCTION INC.,	:	
	:	
Applicant.	:	
	X	

NOTICE OF RETURN OF SERVICE COPY OF NOTICE OF OPPOSITION

Pursuant to 37 C.F.R. § 2.101(b), Opposer Apple Inc. (“Opposer”) hereby notifies the Trademark Trial and Appeal Board (“Board”) that the service copy of the Notice of Opposition filed by Opposer in the above-captioned proceeding on June 1, 2015 (“Notice of Opposition”) against Applicant Star Apple Music Production, Inc.’s (“Applicant”) Application Serial No. 86/313,564 (the “Opposed Application”) was returned by the U.S. Postal Service as undeliverable.

Although the Notice of Opposition was returned as undeliverable, Applicant received notice of the Notice of Opposition, as the parties have been in ongoing discussions regarding the Notice of Opposition and Applicant has filed two motions for extensions of time to answer the opposition. On June 1, 2015, Opposer electronically filed the Notice of Opposition and mailed a

copy to the Applicant's correspondence address of record with the U.S. Patent and Trademark Office ("USPTO") for the Opposed Application, as provided in 37 C.F.R. § 2.101. Dkt. No. 1. With Opposer's consent, Applicant filed, and was granted, its motion for a thirty-day extension of time to answer the opposition on July 13, 2015, in order to allow the parties additional time to pursue discussions. Dkt. Nos. 4-5. Opposer's counsel Shiveh R. Roe received the returned, unopened envelope containing the mailed service copy of the Notice of Opposition received on her desk on July 31, 2015, stamped "Insufficient Address" and "Apartment Required." A copy of the returned envelope is attached as Exhibit A. On August 6, 2015, counsel for Applicant confirmed to counsel for Opposer that Applicant's accurate address, including its suite number, is:

Star Apple Music Production Inc.
2420 Morris Ave, Ste. 4L
Bronx NY 10468

With Opposer's consent, Applicant filed, and was granted, its motion for an additional thirty-day extension of time to answer the opposition on August 7, 2015, in order to continue discussions. Dkt. Nos. 6-7.

Accordingly, Opposer hereby notifies the Board of the returned service copy, and Applicant's accurate address, pursuant to 37 C.F.R. § 2.101(b).

Dated: New York, New York
August 11, 2015

Respectfully submitted,

**KILPATRICK TOWNSEND &
STOCKTON LLP**

By: /s/ Shiveh R. Roe

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Attorneys for Opposer Apple Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 86/313,564



For the mark: *Star Apple Music Production, Inc.*

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v.	:	
	:	
	:	
STAR APPLE MUSIC PRODUCTION INC.,	:	
	:	
Applicant.	:	
-----X		

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing NOTICE OF RETURN OF SERVICE
COPY OF NOTICE OF OPPOSITION is being filed electronically with the TTAB via ESTTA
on this 11th day of August 2015.

/Alberto Garcia/
Alberto Garcia

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing NOTICE OF RETURN OF SERVICE
COPY OF NOTICE OF OPPOSITION has been served on Applicant by depositing said copy
with the United States Postal Service as First Class Mail, postage prepaid, addressed to:

Star Apple Music Production Inc.
2420 Morris Ave, Suite 4L
Bronx, New York 10468-6625

and via electronic mail upon Applicant's attorney, Tony Klemptner, at tony@traverselegal.com.

This the 11th day of August, 2015

/Alberto Garcia/
Alberto Garcia

EXHIBIT A



FIRST CLASS MAIL

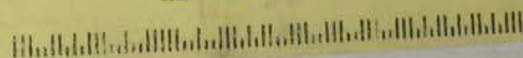
K KILPATRICK
TOWNSEND

KET
Suite 2800 1100 Peachtree St
Atlanta GA 30309

Star Apple Music Production Inc.
2420 Morris Avenue
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RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER



Apt
Required